

RESOLUTION NO. 2781

AUTHORIZING AND DIRECTING CONDEMNATION OF REAL PROPERTY
FOR PWLIC STREET PURPOSES

BE IT **RESOLVED** by the Council of the City of Lodi as follows:

That the Council of the City of Lodi finds, determines, and hereby declares :

(1) That the public interest, necessity, and convenience require the acquisition, construction, and completion by the City of Lodi, of a public improvement, to wit: the re-aligning of the intersection of Lodi and Central Avenues, both public streets in the City of Lodi.

(2) That the proposed improvement is a public use and is planned and located in a manner most compatible with the greatest public good and the least private injury and that said use is authorized by law.

(3) That the City of Lodi acquire the hereinafter described real property for street purposes, by donation, purchase, or by condemnation in accordance with the provisions of the Code of Civil Procedure of the State of California relating to eminent domain. That the City Attorney is hereby authorized to prosecute in the name of the City of Lodi, any and all actions or proceedings required to acquire the necessary land and/or to fix the compensation to be paid for property damaged resulting from the construction and maintenance of said improvement; and in the absence of a satisfactory price agreement with the owner of the land, the City Attorney is hereby directed to immediately commence proceedings under Title Seven, Part Three of the Code of Civil Procedure of the State of California to condemn the property hereinafter described for the purpose of taking said land for the re-aligning of the intersection of Lodi and Central Avenues, both being public streets in the City of Lodi, as described in paragraph (1) of this Resolution.

(4) To acquire in the name of the City of Lodi, fee simple estate in and to the said hereinafter described real property by condemnation in accordance with the provisions of the Streets and Highways Code, Code of Civil Procedure, and the Constitution of California relating to eminent domain.

(5) To make application to said Court for an Order fixing the amount of such security in the way of money deposits as said Court may direct, and for an Order permitting said City of Lodi to take immediate possession and use of said real property, or interest in real property, or existing improvements, as a right of way for public use; to make deposit of such security or moneys in such amount so fixed and determined and in such manner as said Court in which such proceedings are pending may direct.

The real property, or interest in real property which the City of Lodi is by this Resolution authorized to acquire for said public improvement is situate in the City of Lodi, County of San Joaquin, State of California, and is described as follows:

A portion of Lot 11, Block 8, as shown upon Map entitled, "East Lodi Addition," filed for record April 4, 1905 in Vol. 3 of Maps and Plats, page 34, San Joaquin County Records, described as follows:

Beginning at the Southwest corner of said Lot 11, thence N $86^{\circ} 23'$ East, along the South line of said lot for a distance of 29.00 feet, said line being parallel to and 25.00 feet from the Section Line; thence 5.39 feet along a curve to the right, having a radius of 5.5 feet, a central angle of $56^{\circ} 09'$, and a long chord bearing North $65^{\circ} 32' 30''$ West; thence 55.50 feet along a curve to the right, to a point on the West line of Lot 11, said curve having a radius of 150.50 feet, a central angle of $21^{\circ} 07' 45''$, and a long chord bearing North $26^{\circ} 54' 08''$ West; thence South $0^{\circ} 48'$ East, 53.19 feet along the West line of said lot to the point-of beginning.

Dated: December 2, 1964

I hereby certify that Resolution No. 2781 was passed and adopted by the City Council of the City of Lodi in regular seeting held December 2, 1964, by the following vote:

AYES: Councilmen - CULBERTSON, DOW, KIRSTEN, WALTON and BROWN

NOES: Councilmen - NONE

ABSENT: Councilmen - NONE

Beatrice (Jan) Baldy
City Clerk